

Renée C. Hill
ATTORNEY AT LAW



The Liberty Building, 2027 Williamsbridge Rd., Bronx, NY 10461
T: (718) 892-8588 F: (718) 518-0674 E: RHillEsq@msn.com

April 17, 2008

The Honorable Stephen C. Robinson
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: United States v. Osei Jeremiah
Docket # 08 CR 74 (SCR)

Your Honor:

Please receive this letter in anticipation of sentencing Mr. Jeremiah who is scheduled to be sentenced on May 1, 2008.

Pursuant to a plea agreement dated January 30, 2008, Mr. Jeremiah pled guilty before the Honorable George A. Yanthis to a single count Information charging him with Conspiring to Commit Access Device Fraud in violation of Title 18, United States Code, Section 1029(b)(2).

For the reasons set forth below we respectfully seek the minimum sentence permissible.

As indicated in the pre-sentence report Mr. Jeremiah is a 26 year old man residing in Bronx County with his parents and siblings. As Mr. Jeremiah comes from a family of achievers, he too has shown the ability to achieve and do well in life. After graduating from A. Philip Randolph High School with a Regents Diploma, Mr. Jeremiah entered John Jay College of Criminal Justice and thereafter transferred to Lehman College where he attained a Bachelor of Arts Degree in Economics. He has continuously maintained employment since 1998 by first entering the work force as a Sales Associate for The Gap. In 2002, Mr. Jeremiah began working for Circuit City in Yonkers, New York. It is here that Mr. Jeremiah made a decision against his better judgment to permit an individual to use a credit card unlawfully. This instance occurred in the earlier part of 2005, some three years after Mr. Jeremiah had begun working for Circuit City. Subsequent to this conduct, Mr. Jeremiah knew he had taken a wrong path. He thereafter began working harder than he had before to ensure that he did his job honestly and to the best of his ability. He checked and double checked to make sure that all credit card purchases were made properly and by the books. His exhibited work ethic was recognized and it landed him a promotion to Sales Supervisor, a position that he maintained until he voluntarily

Renee C. Hill
ATTORNEY AT LAW



Osei Jeremiah

Page 2

resigned from the company in 2007. Mr. Jeremiah moved on to become employed with Prince Telecom as a Telecommunications Specialist and he remains gainfully employed with them to this date.

Aside from maintaining full time employment, Mr. Jeremiah has continuously thought about his future and he has taken several examinations to secure a better work force position. Specifically, he has taken the exam for Bridge and Tunnel Officer with a score of 88; Firefighter, with a score of 91; Sanitation Worker, with a score of 95; Port Authority Police Officer, for which he has passed the exam and just recently received the informational packet; Environmental Police Officer with a score of 92 and is currently in the interview process; MTA Train Conductor, with a score of 94; and he is awaiting scheduling for the MTA Station Agent exam.

Mr. Jeremiah has fathered one child, to wit: 4 year old Skylar. Although he and her mother are no longer together, he continues to play an active role in her upbringing and shares all costs and expenses. He has developed a beautiful relationship with his daughter in that he has physical custody of her 4-5 days every week. He has bonded with his daughter and exhibits great parenting skills. Any disruption in this relationship would certainly be tragic to both Mr. Jeremiah and Skylar.

Mr. Jeremiah has accepted responsibility for his criminal conduct by allocuting fully and truthfully in open court and in a timely fashion. He is wholly aware that this Honorable Court has the final say in his punishment. I have personally known Mr. Jeremiah and his family for over 15 years and I submit that this young man is extremely remorseful for what he has done. He is disappointed in himself and in the choice that he made. He feels embarrassed and ashamed for bringing a dark cloud into a home that raised him to be a better person and to exhibit far better judgment than that which he displayed in this instant matter. Individuals of all kind who know him well know that this behavior is certainly an aberration and something that would never happen again. This foolish decision has tarnished him with a felony record that will remain with him for the rest of his life. It very well may have destroyed all possible chances of him attaining employment with any of the City agencies/municipalities for whom he has applied. However, he has nonetheless continued with all application processes, interviews and background checks with the hopes that he will still be considered. Given Mr. Jeremiah's age, background and lack of criminal history I would respectfully ask this Court to consider granting a Certificate of Relief from Civil Disabilities.

I have enclosed letters of reference written on Mr. Jeremiah's behalf from his parents, a retired NYPD Detective, an Officer with the MTA and the President of Sight & Fashion Optical Lab, Inc. The three latter are personal friends who speak very highly of Mr. Jeremiah's character as a whole and they establish that he is not an evil person and

Renée C. Hill
ATTORNEY AT LAW



Osei Jeremiah
Page 3

certainly not one who should be incarcerated for any period of time. They have addressed this Honorable Court out of friendship and concern for a young man that they believe in and for whom they have gained respect and admiration based upon his loving and caring nature.

Acceptance of Responsibility

Mr. Jeremiah's conduct in this matter is encompassed in him allowing a co-conspirator to charge approximately \$4,529.83 at Circuit City in Yonkers, New York using a credit card account number attributed to another person who did not authorize such use of the credit card. Mr. Jeremiah acknowledged that his conduct was wrong and he openly accepted responsibility for same. He is remorseful and he is prepared to accept punishment as the Court deems fit.

Guideline Calculation

Given the totality of the circumstances here and acknowledging the defendant's role and criminal history, the Government and Counsel agreed (*Plea Agreement, 01/30/08*) that the applicable guidelines offense level is 8. Said level specifies a sentencing range of 0 to 6 months, Zone A.

Counsel respectfully requests that this Honorable Court adhere to the computation of the offense level stipulated to by the parties in the Plea Agreement dated January 30, 2008.

Before this Court imposes sentence it is required to consider the factors set forth in Title 18 U.S.C. § 3553(a). *USA v. Booker*, 543 U.S. 220 (2005) and *USA v. Crosby*, 397 F. 3d 103 (2d Cir. 2005). The relevant factors are:

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed--
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and

Renée C. Hill
ATTORNEY AT LAW



Osei Jeremiah
Page 4

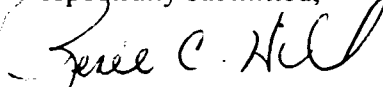
- (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;
- (3) the kinds of sentences available;
- (4) the kinds of sentence and the sentencing range established for . . . the applicable category of offense committed by the applicable category of defendant as set forth in the guidelines.

When imposing sentence under these factors, courts are instructed to impose a sentence that is "sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) of this subsection." *Id.*

Notwithstanding the severity of the charges herein, it is evident that Mr. Jeremiah is a good hearted productive citizen who admittedly made a very bad decision. Initially, he attempted to redeem himself by becoming the best employee he possibly could by scrutinizing every credit card purchase he thereafter supervised to ensure that it was proper. Almost three years after the event, Mr. Jeremiah was charged and he readily and without hesitation admitted his wrong doing. His only wish is to proceed with his life in a law abiding fashion, as he has done since that event, and continue to maintain the structure of his family and career progress.

Given the guideline range, Mr. Jeremiah's background and the factual circumstances of this matter, a period of probation/supervised release is a permissible sentence that the Court can consider and it would be more than "sufficient ... to comply with the purposes set forth" in 18 U.S.C. § 3553.

Respectfully submitted,


Renée C. Hill, Esq.

cc: AUSA Nicholas L. McQuaid
U.S.P.O. Margaret M. Reveira

Attachments

1749 Popham Avenue
Bronx, NY 10453
4/15/08

To Whom It May Concern:

My name is Sonja Jeremiah and I am currently employed with the New York City Board of Education. I have been a public school teacher for the past 21 years.

It is with deep sorrow and excruciating pain that I am writing this letter because Osei Jeremiah is my son. My husband, Samuel Jeremiah, and I have been married for the past 29½ years and Osei is the second of 3 children. Osei has been raised within a very stable, loving and close knit family environment. He has always exhibited such fine qualities as honesty, kindness, caring and willingness to help others around him.

Osei was never a problem child and I am very proud of my son. According to Osei, unlike some other children, his role model was never an athlete or entertainer, it was always his dad. This makes me very proud because he had the opportunity to grow up in a household where he witnessed both parents constantly working hard, honestly and diligently to reach where they are today. As parents, we are constantly teaching and instilling in our children the need to work hard and honestly to become positive and productive citizens in this world.

As a result of this Osei, like all his other siblings, has always taken education seriously. In June 2007 he graduated with his Bachelors Degree in Economics from Lehman College. From a young boy he has always been interested in Law Enforcement and at this moment he is trying to pursue his dreams.

In addition to this, Osei is the proud father of a beautiful 3-year-old baby girl. It really give me great joy and blesses my heart to see the strong bond that both of them have created and the gentle, loving way he takes care of her. They are so close to each other that if separated I know it would crush he tender heart.

Unfortunately, Osei found himself in a situation where he did not stop and think through clearly. As a result he made a very poor choice. I am very disappointed at the way events occur sometimes in life and the poor choices and mistakes that we make before thinking. However, I know that as human beings, as we travel along life's journey we all have been confronted at some time or another with some type of obstacle or temptation where we have made mistakes and poor judgments. Then through reflections we become disappointed in ourselves.

I know that Osei is deeply depressed and has regretted that moment. He is devastated and wishes he could take it all back but unfortunately he can't.

Therefore in light of this and the pain that my family is experiencing at this point in time I am begging you, "Your Honor" to take everything into consideration, forgive him and have mercy on him. Please give him a second chance to redeem himself and prove he can be an honest and productive citizen.

Thank you in advance for taking the time to read this letter.

Yours sincerely

Sonja Jeremiah

**Sonja Jeremiah
Osei's Mom**

1749 Popham Avenue
Bronx, NY 10453
4/12/08

To Whom It May Concern:

My name is Samuel Jeremiah. I am a Mathematics Teacher with the New York City Board of Education for the last 26 years. I am also an accountant and Financial Planner. My wife and I have three children, Aquisha, Osei and Omari. Aquisha is a graduate of the Culinary Institute of New York and is presently working on her MBA and is scheduled to graduate in May 2008. Osei is a graduate of Lehman College with a Bachelors Degree in Economics. He graduated in May 2007. Omari presently attends the Hackley School in Tarrytown New York and is in the 12th grade. He will be attending Goucher College in Maryland in September 2008 to pursue an Undergraduate Degree in Creative Writing.

As a father, I am very proud of my children and have watched them grow up into productive citizens. I have very fond memories my children growing up. My wife and I have instilled strong values in our children as they embark on the journey of life. Some of these values include honesty, integrity, kindness, willingness to help others and hard work. These values are demonstrated on a daily basis by the role models that our children see everyday in their parents. Each child has their own unique characteristics and has developed along their own path. Because of this each of our children have accomplished a goal in life that no other member in the family has accomplished. Aquisha was the first valedictorian in our family, Osei was the first Black Belt in martial arts in the family and Omari was the first in the family to write six childrens books.

Osei has a daughter by the name of Sklya who adores her father. It gives me great pleasure to see how he interacts with his daughter. It reminds me of when my daughter was growing up. My wife and I sometimes marvel at the parenting skills that Osei demonstrates. He hinted that he learned those skills from his parents.

Unfortunately, no one is perfect and things happen in life that we cannot explain or do not know why they happen. Some of these mistakes come back to haunt us for the rest of our lives. One such incident happened to Osei while trying to help a friend. He allowed a charge to go through at Circuit City in order to help a friend obtain a navigation system for his car. He was promised that if he did that the friend would be able to purchase the navigation system at a greatly reduced price. He did that but the friend did not get the navigation system. Osei did not realize at the time that he was being snared into a credit card scheme. Once he realized that he tried to withdraw but the damage had already being done. Osei admitted his mistake and

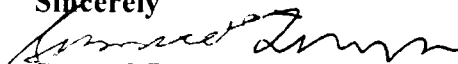
spoke to his family members and his attorney. He then pleaded guilty to the charge and is now awaiting sentencing.

It is in this connection that I am writing this letter in the capacity of Osei's father. I am asking the judge to show some leniency on Osei and give him another change at life.

Osei has a bright future ahead of him and I would not like this mistake that he made to prevent him from achieving his goals in life. He has taken many civil service exams and is presently being interviewed for a career in law enforcement. In addition the family fabric would be destroyed if he was removed from the family and his 3 year old daughter would be devastated. He deeply regrets his error in judgement while trying to help a friend and has even offered to provide full remuneration for the items involved.

If further information is required you may contact me at the above address, by telephone at 718-294-4919, by cell at 718-614-0508, by fax at 718-299-6316 or by email at SJerem146@aol.com. Thanks for your assistance.

Sincerely



Samuel Jeremiah, BSc, MSc.
Public School Math Teacher
Accountant & Financial Planner,
Notary Public State of New York
Father of Osei Jeremiah

Rudolph Gadson 198 Emerson Avenue, Bronx, New York 10465

April 10, 2008

To Whom It May Concern:

Being a Police Officer and a 2nd Grade Detective working in many capacities on the force; 47th pct, Narcotics Division, Major Case Unit and Warrant Squad, I pride myself on being an excellent judge of character.

In saying this, I am writing this letter on behalf of Osei Jeremiah. I have known Osei since he was four years old. Over the years, I have watched him grow up to become an outstanding young man who comes from a great family. Osei is a bright young man with unlimited potential and if given the opportunity he would be an asset to society and his community.

I have spoken with Osei about his situation and he is deeply sorry for the mistake he made.

After reviewing Osei's credentials, please take this reference into consideration when making your decision. He is truly a special young man.

If you should have any questions, please do not hesitate to contact me at (347) 678-6924.

Sincerely,

Rudolph Gadson
Retired 2nd Grade Detective

April 7, 2008

To whom it may concern,

Osei L. Jeremiah

I have known Osei for more than 15 years as a classmate, colleague and most importantly, a close friend.

I can confirm that he is a man of great integrity, is extremely dedicated to his family and work, and is entirely honest and trustworthy.

As a student, Osei is hard-working and highly committed to his education. I believe his bachelor's degree in economics and excellent transcripts can attest to that fact.

As a father, his love and dedication to his daughter Skyla are unsurpassed.

For your information, I am currently an officer with the Triborough Bridges and Tunnels Authority (formerly MTA Bridges and Tunnels) and I write this letter of recommendation without reservations.

If you need any further information, please feel free to contact me at 718-515-3772 and I will be more than willing to assist you in regards to this matter.

Yours faithfully,

Bienvenido A. Corporan

T.B.T.A Officer

Shield # 2796

**Sight & Fashion Optical Lab, Inc
3870 White Plains Road, Bronx, NY 10467
718-652-5801 Business
718-652-0863 Fax
Mr. Gerard Joseph, President & CEO**

3/30/08

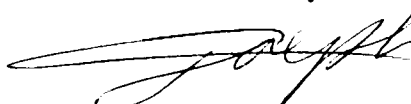
To Whom It May Concern

This is to certify that I have known Osei Jeremiah for the past seven years.

Osei is an honest, intelligent, hardworking individual with a strong desire to advance in his chosen field. Osei is of excellent moral character, and is easy to get along with. Over the years I have seen Osei grown from a child into a man.

If I may offer any additional information, please feel free to contact me at the above address, telephone or fax number. Thanks for your assistance in this matter.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Gerard Joseph", with a stylized flourish at the end.

**Gerard Joseph
President,
Sight & Fashion Optical Lab**